

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

Raqib Abdul Al-Amin,

Petitioner,

v.

Robert M. Stevenson, III, Warden,

Respondent.

C/A No. 0:10-cv-2023-CMC

Order

This matter is before the court on Petitioner's motion for free copies of the record in his previous habeas corpus petition at Docket Number 0:10-cv-02023. ECF No. 64. Petitioner has attached a Financial Certificate from Perry Correctional Institution showing he is indigent, and has informed the court he needs the copies to pursue a motion under 28 U.S.C. § 2244 in the Fourth Circuit. *Id.*

For the reasons below, Petitioner's motion for copies at no cost is **granted**.

Longstanding circuit precedent provides that a prisoner who requests free copies of records in his or her case, whether it is a state or federal case, must show a particularized need for such records. *See Jones v. Superintendent, Virginia State Farm*, 460 F.2d 150, 152-53 (4th Cir. 1972); *United States v. Glass*, 317 F.2d 200, 202 (4th Cir. 1963). Petitioner must show some "need" for the material beyond a mere desire to comb the record in hopes of discovering some flaw. *Jones*, 460 F.2d at 152.

Petitioner states the Fourth Circuit requires copies of any previously filed § 2254 motions in order to consider his motion under § 2244. He attaches paperwork from the Fourth Circuit confirming this requirement (ECF No. 64-1) and states the Fourth Circuit directed him to write this court for the requested documents. Petitioner has therefore shown a specific need for the

records requested. Accordingly, Petitioner's motion (ECF No. 64) is **granted**. The Clerk shall provide Defendant with a copy of the Report and Recommendation issued in the above captioned case on July 12, 2011 (ECF No. 43) and the Opinion and Order adopting the Report (ECF No. 50).

**IT IS SO ORDERED.**

s/Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
Senior United States District Judge

Columbia, South Carolina  
March 14, 2018